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VIA ECF

Honorable Paul G. Gardephe  
United States District Court for the  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

MEMO ENDORSED

The Application is granted.

SO ORDERED:

*Paul G. Gardephe*  
Paul G. Gardephe, U.S.D.J.

Dated: *March 25, 2015*

Re: United States v. Martoma, No. 12 Cr. 973 (PGG)

Dear Judge Gardephe:

We represent Rosemary A. Martoma in the above-referenced matter with respect to her third-party petition for hearing on forfeiture proceedings pursuant to 21 U.S.C. § 853. We respectfully request leave to file the attached sur-reply to the Government's Reply Memorandum of Law in Response to Third-Party Petitioner Rosemary A. Martoma's Opposition to the Government's Motion to Dismiss (Dkt. #340) (the "Government Reply") and the Declaration of Steven Yagoda in Support of the Government's Motion to Dismiss the Petition of Rosemary Martoma (Dkt. #340-1) (the "Yagoda Declaration") submitted therewith.

Mrs. Martoma seeks leave to file the attached sur-reply memorandum of law to address the Yagoda Declaration submitted with the Government Reply and in further opposition to the Government's motion to dismiss the Petition. In filing the Yagoda Declaration, the Government creates further issues of fact and introduces new arguments to which Mrs. Martoma should be permitted to respond. Moreover, Mrs. Martoma respectfully submits that she should also be given the opportunity to respond to statements in the Government Reply – including arguments raised for the first time in the Reply – that mischaracterize Mrs. Martoma's allegations and arguments and misconstrue the applicable law. The Government takes no position with respect to Mrs. Martoma's request.

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Accordingly, we respectfully request that this Court grant Mrs. Martoma leave to file the attached sur-reply memorandum of law.

Respectfully submitted,

/s/ Richard M. Strassberg  
Richard M. Strassberg

Cc: All Counsel of Record (by ECF)